

EXHIBIT C



Gary E. Zausmer
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February 23, 2021

CONFIDENTIAL
Western District of Texas – Austin Division
Attorney Admissions Committee Communication

Via Email at: rtauler@taulersmith.com

Via Regular Mail

Via Certified Mail; Return Receipt Requested

Robert Rogelio Tauler
Tauler Smith LLP
620 Wilshire Blvd., Suite 510
Los Angeles, California 90017

Re: Subpoena to the Admissions Committee of the Western District of Texas – Austin Division (“Admission Committee” or “Committee”)

Dear Mr. Tauler:

This correspondence of the Admissions Committee acknowledges receipt of and responds to your February 19, 2021 email and the accompanying Subpoena (“Subpoena”) (attached as Exhibit A), which you arranged to serve on my office on February 22, 2021.

The Committee’s position is that an applicant is entitled to receive the Admissions Committee’s recommendation concerning the application and grounds of the Admission Committee’s recommendation against admission. The Admissions Committee considers that its February 16, 2021 correspondence (attached as Exhibit B) discharged the Committee’s obligations to you in this regard.

The Admissions Committee objects to providing you the documents and information identified in the Subpoena and here serves its objections because:

- (i) The Admissions Committee serves at the behest of the Court; its deliberations and processes and related documentation are properly confidential, protected, and privileged.

Robert Rogelio Tauler

February 23, 2021

Page 2

- (ii) The scope of the Subpoena would require production of the Admissions Committee's confidential, protected documentation, information, and deliberative processes.
- (iii) The Committee, pursuant to Rule 45, FED. R. CIV. P., asserts that the documents and information sought under the Subpoena are privileged and confidential, including under the deliberative process privilege, and are being withheld.
- (iv) The Committee's recommendation against an applicant's admission is subject to the Court's review under the specific procedures which the Committee referenced in our February 16, 2021 correspondence (Exhibit B). As noted in Exhibit B, you have the opportunity, as desired, to receive the Court's review of your application and accordingly the Committee's recommendation. (See Local Rule AT-1(d)(3)). You have, to date, apparently not opted to comply with the specific review process under this Local Rule, at which stage the Committee's file is transmitted to the Court. As part of the review process, it will be the Court's determination to address any request for access to the Committee's file.
- (v) The Committee objects to the Subpoena because you have, to date, failed to comply with procedures, protocols, and the express framework under which applications for admission are governed.
- (vi) The Committee disputes that the documents sought in the Subpoena, which concern the Committee's consideration of and recommendation concerning your admission application, are proper for and relevant to the action in which you served the Subpoena, Civil Action No. 1:18-cv-044-RP styled *MWK Recruiting, Inc. v. Evan P. Jowers, et al* pending in the United States District Court for the Western District of Texas. Further, the Admissions Committee asserts that its work in reviewing an application for admission is so attenuated from a party's claims or defenses in a particular lawsuit over alleged substantive matters, that the use of the Court's Subpoena power under these circumstances, which includes your right to request that the Court review the application and the Committee's recommendation, constitutes an abuse of process.

Pursuant to the foregoing, the Admissions Committee will not produce documents or information beyond that which has been produced to you thus far, absent a directive from the Court. If you choose to pursue recourse with the Court concerning the Committee's objections to the Subpoena, you may consider this response as the prerequisite conference with the Admissions Committee under the Local Rules.

Robert Rogelio Tauler

February 23, 2021

Page 3

Thank you for your consideration.

Sincerely

/s/ Gary E. Zausmer

Gary E. Zausmer

Chair and on behalf of, Admissions Committee

United States District Court for the

Western District of Texas – Austin Division

GEZ/jlc

Enclosure